

**Amendments to the Claims:**

This listing of claims will replace all prior versions and listing of claims in the application.

**Listing of Claims:**

1. (Currently Amended) A moisture transfer apparel to be worn by individuals engaged in activities that generate moisture comprising, on at least a portion of the apparel, a combination of layers comprising:

a first layer, closest to the individual, the first layer being an inner moisture transfer material;

a second layer, abutting the first layer, including an open cell foam material;

a third layer, abutting the second layer, including a nonwoven material; and

a fourth layer, abutting the third layer, the fourth layer being an outer moisture transfer material that is encapsulated for waterproofing,

wherein the combination of layers is breathable and enables moisture vapor to be transferred through the apparel from the first layer through the fourth layer so as to keep the individuals dry,

wherein at least one of the first through fourth layers has reversible enhanced thermal properties.

2. (Original) The moisture transfer apparel according to claim 1, wherein at least two of the first, second, third and fourth layers are attached to each other by lamination.

3. (Original) The moisture transfer apparel according to claim 1, wherein at least two of the first, second, third and fourth layers are attached to each other by mechanical bonding.

4. (Previously Presented) The moisture transfer apparel according to claim 1, wherein the fourth layer is laminated to the nonwoven of the third layer.

5-6. (Canceled)

7. (Currently Amended) A moisture transfer apparel to be worn by individuals engaged in activities that generate moisture comprising, on at least a portion of the apparel, a combination of layers comprising:

a first layer, closest to the individual, the first layer being an inner moisture transfer material;

a second layer, abutting the first layer, including an open cell foam material;

a third layer, abutting the second layer, including a nonwoven material; and

a fourth layer, abutting the third layer, the fourth layer being an outer moisture transfer material that is selected from fabrics that are structurally knitted or woven to repel water,

wherein the combination of layers is breathable and enables moisture vapor to be transferred through the apparel from the first layer through the fourth layer so as to keep the individuals dry,

wherein at least one of the first through fourth layers has reversible enhanced thermal properties.

8-16. (Canceled)

17. (Currently Amended) The moisture transfer apparel according to claim 1, wherein the second layer and third layer are formed as an elastomeric composite having the nonwoven material combined with the open cell foam material in a single process.

18-20. (Canceled)

21. (Currently Amended) A moisture transfer apparel to be worn by individuals engaged in activities that generate moisture comprising, on at least a portion of the apparel, a combination of layers comprising:

a first layer, closest to the individual, the first layer being an inner moisture transfer material;

a second layer, abutting the first layer, including an open cell foam material;

a third layer, abutting the second layer, including a nonwoven material; and

Second Preliminary Amendment dated March 2, 2006

a fourth layer, abutting the third layer, the fourth layer being an outer moisture transfer material that is encapsulated for waterproofing,

wherein the combination of layers is breathable and enables moisture vapor to be transferred through the apparel from the first layer through the fourth layer so as to keep the individuals dry,

wherein the second layer is treated with microencapsulation technology which can adjust to temperature changes.

22. (Currently Amended) A moisture transfer apparel to be worn by individuals engaged in activities that generate moisture comprising, on at least a portion of the apparel, a combination of layers comprising:

a first layer, closest to the individual, the first layer being an inner moisture transfer material;

a second layer, abutting the first layer, including an open cell foam material;

a third layer, abutting the second layer, including a nonwoven material; and

a fourth layer, abutting the third layer, the fourth layer being an outer moisture transfer material that is encapsulated for waterproofing,

wherein the combination of layers is breathable and enables moisture vapor to be transferred through the apparel from the first layer through the fourth layer so as to keep the individuals dry,

wherein the second layer is treated with microencapsulation technology which can adjust to temperature changes.

23. (Previously Presented) The moisture transfer apparel according to claim 1, wherein the second layer has reversible enhanced thermal properties.

24. (Previously Presented) The moisture transfer apparel according to claim 7, wherein the second layer has reversible enhanced thermal properties.

25-44. (Canceled)

45. (Withdrawn) The moisture transfer apparel according to claim 1, wherein the outer moisture transfer material is selected from a group consisting of cotton and a cotton blend.

46. (Withdrawn) The moisture transfer apparel according to claim 1, wherein the outer moisture transfer material comprises synthetic fibers.

47-51. (Canceled)

52. (Withdrawn) The moisture transfer apparel according to claim 1, further comprising a membrane, abutting the foam material, for providing either warmth or cooling.

53. (Withdrawn) The moisture transfer apparel according to claim 7, further comprising a membrane, abutting the foam material, for providing either warmth or cooling.

54-88. (Canceled)

89. (Previously Presented) The moisture transfer apparel according to claim 1, wherein a membrane is applied to the second layer so that it has reversible thermal enhanced properties.

90. (Previously Presented) The moisture transfer apparel according to claim 7, wherein a membrane is applied to the second layer so that it has reversible thermal enhanced properties.

91-105. (Canceled)

106. (Withdrawn) A moisture transfer apparel according to claim 1, wherein the second layer includes a breathable membrane.

107. (Withdrawn) A moisture transfer apparel according to claim 1, wherein the third layer includes a breathable membrane.

108. (Withdrawn) A moisture transfer apparel according to claim 1, wherein the second layer includes a thermal insulating material.

109. (Withdrawn) A moisture transfer apparel according to claim 1, wherein the third layer includes a thermal insulating material.

110-113. (Canceled)